UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

In re: PHARMACEUTICAL INDUSTRY)
AVERAGE WHOLESALE PRICE) MDL No. 1456
LITIGATION)
) Civil Action No. 01-12257-PBS
)
THIS DOCUMENT RELATES TO:	(Subcategory Docket: 06-CV-11337)
United States of America, ex rel. Ven-a-Care) Judge Patti B. Saris
of the Florida Keys, Inc. v. Abbott	
Laboratories, Inc.	
No. 07-CV-11618-PRS) Magistrate Judge Marianne B. Bowler

NOTICE OF FILING DECLARATION OF ERIC P. BERLIN SUBMITTING EXHIBITS IN SUPPORT OF ABBOTT LABORATORIES INC.'S SUR-REPLY IN OPPOSITION TO VEN-A-CARE'S MOTION FOR PARTIAL SUMMARY JUDGMENT

Abbott Laboratories Inc. hereby gives notice of the filing of the attached Declaration of Eric P. Berlin Submitting Exhibits in Support of Abbott Laboratories Inc.'s Sur-Reply to Ven-A-Care's Motion for Partial Summary Judgment.

Dated: December 18, 2009 Respectfully submitted,

/s/ Tara A. Fumerton

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Counsel for Defendant Abbott Laboratories Inc.

CERTIFICATE OF SERVICE

I, Tara A. Fumerton, an attorney, hereby certify that I caused a true and correct copy of the
foregoing to be served on all counsel of record electronically by causing same to be posted via
LexisNexis, this 18th day of December, 2009.

/s/ Tara A. Fumerton	
Tara A. Fumerton	